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## RESEARCH ARTICLE

### CHANGING DYNAMICS OF SEXUAL OFFENCES IN INDIA: CURRENT CONCEPTS AND TRENDS

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#### ABSTRACT

In this research, we examine the rape patterns in India and its states during the years 2015-2019 by age and region. The present study used the annually published data on crimes from the National Crimes Records Bureau (NCRB) India for 2015-2019. For now, we are oblivious of the fact of how many cases happen in the country as the NCRB data reveals just the reported number of cases that are compiled from the police station records all over the country. During the study period, the total reported incidence of crimes against women in India (per 100,000 women) has increased and the rape cases decreased from 2015 to 2019. The outcome portrays that the rate of rape cases in India decreased from 5.7% to 4.9% during 2015-2019. The New Delhi nation capital has decreased the rate from 22.6 to 13.5%. Age group, 18-30 years have been found the more vulnerable group as compared to other age groups in this study.

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## INTRODUCTION

It is being understood that assault ought not to be treated as a sex-crime however it is an aggressive crime against an individual. Researchers have shown that frequently the goal of the offender is aggression instead of sexual delight. Groth and Birnbaum saw that the rapists infer an eroticized joy through sex, yet an awful attack on the victim's body. It is to be noticed that most of the assault cases are not unexpected events, but they are commonly very much arranged. The offense of rape has been characterized in Section 375 of the Indian Penal Code (IPC) while Section 376 gives the punishment for rape. Under this part, the more serious punishment has accommodated the rapist on the off chance that he turns out to be a cop or community worker or an individual on the administration of the prison staff or remand home and commits an assault on any prisoner, subsequently manhandling his official position. Moving back to a man's wife in Vedic culture was seen as his companion 'dharam-patni' (literally translates to *dutiful-wife*), who exhibits complete devotion to him. The spouse was relied upon to second and help the husband in executing his dharma (religious duty), and one of her most important duties was to deliver and raise children—especially sons (Bidner and Eswaran, 2014).

In the Vedic age, women have been given a higher status and preference than a man in every field to this extent that when giving a joint name of a god and goddess, the name of the goddess is constantly positioned previously the god. For example: In the name "Sita Rama", Sita is the wife of Rama. In "Radhe Shyama" Radha is the dearest of Krishna, and in "Gori Shankar" Gori is Shankar's or Lord Shiva's wife. We call our country motherland; mother is superior to father. It teaches us to be more indebted to mother than father — "*Maat Devo bhava*" before "*Pita Devo bhava*" (Daily pioneer, 2018). Similarly, considering the scriptures of Rigveda on violence against women, society never judged the victims of rape. It offered support and helped the victim recover from the depression caused by such an incident. Also, the children born because of rape were accepted by society and never stigmatized. Seems like a fairy story in the society that we currently live in. While the Rigveda taught us to respect women and not abandon the survivors of sexual assault, we have people in our country who stand by the culprits of such an intolerable crime. In 2014, former Union minister and founder of the Samajwadi Party Mulayam Singh Yadav set off a column with his remark on rapes. "Should rape cases lead to hanging? Boys are boys, they commit mistakes," was what he had to say on three people who had been held guilty in a gang-rape case. (The Times of India, 2015). Hence, talking about the harsh reality of the present time, it is unquestionably needed for us to board a time machine and jump back to the rich legacy where women were revered (Indian Express, 2014).

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Although women might be victims of the overall violations, for example, 'murder', 'theft', 'cheating', and so on just the crimes which are coordinated explicitly against women, for example, gender-specific crimes are portrayed as 'Crimes against Women'. Different new enactments have been brought and revisions have been made in existing laws to deal with these violations viably. Researchers in the west have been contemplating the rapists and other offenders since the mid-1950s (Scully and Marolla 1984) and have gained essential ground in highlighting factors responsible for their offending behaviours. In the midst of shock over the demise of a rape victim in Uttar Pradesh's Hathras, the National Crime Records Bureau's (NCRB) 'Crime in India' 2019 report demonstrated how regular crimes against women saw a steep rise across the country. An aggregate of 4,05,861 cases of crimes against women was registered during 2019, indicating an expansion of 7.3% more than in 2018 (India.com, 2020).

According to the horrifying statistics, every 16 minutes, a woman is raped at someplace in India, and at regular every four minutes, a woman encounters brutality on account of her parents in law. In 2019, India had recorded 88 rape cases each day. Of the all-out 32,033 reported rape cases in the year, 11% were from the Dalit people group. However, official statistics on the number of rapes and sexual assaults cannot fully be relied upon because most rape cases (up to 70% according to some estimates) go unreported due to social pressure, the slow and grinding manner in which the redressal mechanism works, and the stigma attached to women who go through them. A few gruesome incidents catch public attention, igniting widespread outrage, media coverage, and public debate, forcing the lawmakers to introduce new laws, make public announcements or reform the existing ones. Because of the 2012 Delhi gang-rape case, the Indian government additionally executed the fast-track court system to quickly prosecute rape cases. The fast-track court system has been invited by a few; however, their reasonableness was questioned by numerous legal experts and scholars (Jiloha, 2013). The legal scholars express that the fast-track court system may not be reasonable in an impoverished nation where millions of cases are backlogged, as there is an average of only 14 judges for every million individuals, among the least in a United Nations study of 65 nations. PM Narendra Modi has also announced that the government is planning to set up a National Sex Offender Registry. This proposal is also being debated as many believe that while it maybe be useful in cases of child sex offenders, it will also be detrimental in the rehabilitation and reform of sex offenders overall as they will get branded for life

**Review of Literature:** Ramu Rawat and Tadapatri Masthanaiah in the year 2015 have researched "Explosion of Rape Cases in India: A Study of Last One Decade". In their research, they inspect the rape patterns and circumstances in India and its states during 2004-2013 by age and region. The study reveals that rape cases are significantly increased; other rape cases are remarkably increased compare to Incest rape. Age group 18-30 years have found a greater number of increased cases compare to other age groups (Ramu Rawat, 2015). The crime percentage enrolled per lakh women populace is 62.4 in 2019 in correlation with 58.8 in 2018, the information shared by NCRB. According to the information, the greatest rape cases were accounted for by Rajasthan reported 6,000 rape cases and Uttar Pradesh 3,065 cases (India.com, 2020).

With 47 cases, Maharashtra has the most elevated number of rapes with murder occurrences the nation over, of which two were accounted for in Mumbai in 2019, according to the National Crime Record Bureau's Crime in India Report 2019'. While among 19 metropolitan cities with more than 2,000,000 populaces, Mumbai detailed the most noteworthy number of cases for utilization of children in pornography and sexual harassment public transport. As per information, 6,519 cases of crime against women were enlisted by Mumbai Police in 2019, and it positions second after Delhi that enrolled 12,902 cases. While Uttar Pradesh (59,853) has the most elevated number of crimes against women cases, Maharashtra (37,144) positions third after Rajasthan (41,550). The NCRB data further showed that out of 278 cases of rape with murder registered nation over, Maharashtra has recorded the most noteworthy with 47, of which two cases were registered in Mumbai, trailed by Madhya Pradesh (37) and Uttar Pradesh (34) (Indian Express, 2020).

A sum of 3,27,394 cases of crime against women (both under different sections of IPC and SLL) were accounted for in the nation during the year 2015 when contrasted with 3,37,922 in the year 2014, along with these lines indicating a decline of 3.1% during the year 2015. These crimes have ceaselessly expanded during 2011 - 2014 with 228650, 244270, 309546, 337922 cases have been registered in the year 2011, 2012, 2013, and 2014. It declined to 327394 of every 2015 (Safety of Women, 2016). A study of sexual offenses in one of the American States reveals that almost 88 percent of the school-going girls between the age of 14 and 18 had sex-experience before attaining puberty. Another survey in the USA concluded that in one out of every 5 or 10 marriages today the bride is already pregnant (Paranjape, 2012). Dr. Kuldip S. Chikkara and Anand S. Kodaninthe year 2012 have researched "Rape Victims and Major Offenders in India: An Empirical Study" through this research they have analyzed the major offenders behind the rape incidences among different geographical regions in India with the help of appropriate statistical tool and techniques. They found that 'Other Known Persons' were the major 'Offenders' of Rape in Indian States and Union Territories (UTs), while in Major Cities, 'Neighbours' were the major 'Offenders'. Based on the foregoing analysis researchers concluded that the reason or motive behind the rape incidents is not similar in different geographical regions of India (Kuldip S, 2012). In the Capital of India New Delhi on 16<sup>th</sup> December 2012, the rape and murder case with a 23-year-old student who was traveling on a bus with her male friend. Six people (Juvenile, Bus Driver, and 4 men) gang-raped and abused her male friend on a moving bus and later the victim died of her virginal injuries after 13 days. Juvenile and 5 men were arrested, in which 4 of them were sentenced to death and 1 hanged himself during the trial. The juvenile was freed from the reform home after 3 years (Simon-Kumar, 2014).

Dr. Madhumita Pandey from Anglia Ruskin University Criminology Department, carried out an interview with 100 convicted rapists in Tihar Jail for her doctoral research thesis "Why Do Men Rape?". Out of 100, 45 tried to justify rape, 30 denied the rape, 22 blamed the girl, 3 confessed the rape. Convicted No: 49, He raped 5 years baby, and stated that "Yes I feel bad, I ruined her life. Now she is no longer virgin, no one would marry her, I will marry her when I will come out of jail." In January 2018 Kathua town in Northern India, A 8-year-old Muslim girl was drugged, held hostage in a temple,

and sexually attacked for seven days before being choked and with a stone beaten-up to death. A Hindu priest along with six men, and three cops, were sentenced for the crime. Life sentences were given to three. In July 2018, eighteen men were accused in Chennai of more than once assaulting a 12-year-old girl over seven months, quieting her with drugs and afterward taking the victim to empty apartments in the block to assault her. On November 27, 2019, a 26-year-old doctor was gang-raped and burned to death in Hyderabad. Four suspects were arrested and confessed to having raped and murdered the victim. The case sparked outrage in several parts of the country. However, all four accused were killed in an encounter on 6<sup>th</sup> December 2019 where the Police denoted that they were trying to run away and attacked them in retaliation (The Hindu, 2019). A case study by Swetha Sadanandan and Dr. Priyanka Kacker in 2020 suggested a prevention framework for victims of sexual crime in three phases and proposed a stop access app that will help in the reduction of such cases. The framework focuses on shifting the general awareness and understanding of sexual desires by providing healthy alternatives through the app (Swetha Sadanandan, 2020). A paper written by Ajinkya Deshmukh (2020) imparts light on the actual reasons behind why rape is committed and few significant rape cases in India that have contributed to the evolution of Laws of Sexual Offences. It discusses the famous rape case of Aruna Shanbaug, who suffered brain injuries, paralyzed for the rest of her life, and died after 42 years of the heinous act committed on her. The Supreme Court however denied the forced anal course to be rape. Other matters of issues such as forced homosexual intercourse have also been discussed. He further suggested that rape cannot be put forward as a generalized theory and thus depends on individual psychology (Ajinkya Deshmukh, 2020). An article by Anne Bitsch where he discusses two legal cases in Norwegian where the perpetrators were given sympathy based on their racial backgrounds. He, therefore, suggests that geography does account for certain components of legal proceedings. The courts thus provide empathy to some class of people the study revealed (Anne Bitsch, 2019).

## MATERIALS AND METHODS

The study is based on secondary data on crimes in India, which were collected from the published annual report of the National Crime Records Bureau (NCRB). They collected this data from the records of police stations in India. The NCRB captures only the crime registered in the police stations. Based on the female population, the NCRB calculated the crime percentage of crime against women. The crime rate for a crime against women, a crime against children, a crime against senior citizens has been determined (calculated) using a population of females, children (up to 18 years), major persons (60 years & above of age). The data for "Crime against women in India" i.e., Rape, given in this article has been obtained annually from 36 State/Union Territory's Police Stations by NCRB. We have taken all precautions to ensure that the data is statistically consistent. To understand the trends of rape cases by age group in India during 2015-2019 we have used NCRB statistical data (NCRB <https://ncrb.gov.in/>).

### Calculation Rate of Rape

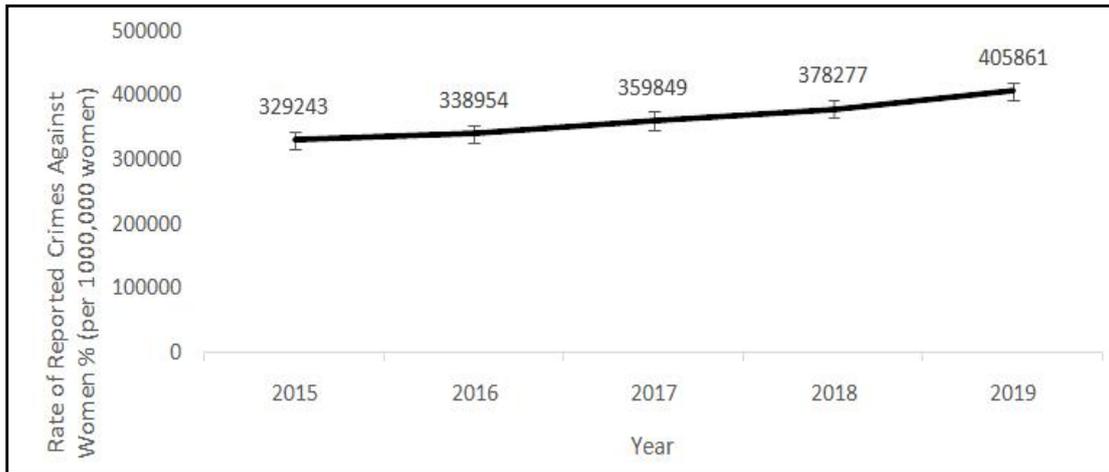
Rate of Rape = (Number of Rape Cases Reported / Population of Women) x 1,00,000

## RESULTS

The NCRB reported an increase in crimes against women from 329,243 reported incidents in 2015 to 405,861 in 2019. The state of Uttar Pradesh reported 14.74% (59,853 out of 4,05,861 cases) of total cases of crimes against women in India during 2019, followed by Rajasthan with 10.23% (41,550 cases). Assam reported the highest crimes against women rate (177.8 per every 100,000 women) compared to the national average rate of 62.4 (NCRB, 2019). The graph presented below in Figure-1 summarises the data from NCRB to highlight the total reported crimes against women in India from 2015 to 2019.

Reported Incidence of Crimes Against Women in India (per 100,000 women). Moving on from overall crimes against women in India, the next section presents a total rate of rape cases in India. Figure-2 presents total rate of rape cases for 2015 (5.7%), 2016 (6.3%), 2017 (5.2%), 2018 (5.2%) and 2019 (4.9%). Figure-3 presents the total rate of rape cases for 2016-2019 in India (rape case registered per one-lakh women in 2016 and 2019). The outcome portrays that the rate of rape cases in India decreased from 6.3% to 4.9% during 2016-2019. The Delhi nation capital has decreased from 22.6 to 13.5%. The highest rape rate has decreased from 30.3% to 3.5% from 2016 to 2019 in Sikkim. The rest of the states in the North Region rape cases fundamentally expanded in Rajasthan from 10.4% in 2016 to 15.9% in 2019. The second highest rape cases were enlisted in Uttarakhand during 2016, 6.4% to 9.6% in 2019. The rape cases increased in Himachal Pradesh from 7.3% to 10% during 2016-2019.

The lowest proportion of rape rate cases has been found in the South Region compared to other selected regions in India during the study period. In the South region, rape cases are decreased by 11.2% to 7% in A & N Island and about 11.9% to 0%, decreased in Lakshadweep from during 2016-2019. The highest rape rate has increased from 9.3% to 20.7% from 2016 to 2019 in Chandigarh. The state has the highest rate of rape cases with 112 rape cases registered during 2019. According to the report, out of 112, 65 rape victims were beneath the 18 age. Four of them were under six years old, nine were matured somewhere in the range of six and 12, 31 somewhere in the range of 12 and 16 years, and 21 somewhere in the range of 16 and 18 years old. According to the report, the victim knows the offenders in 102 rape cases. While 16 were family members, 49 were either family companions, neighbors, employers, or some other associate, 37 offenders were live-in partners, or friends met on the social media who raped on the affection of marriage (Tribune India, 2019). In the West region, rape cases are expanded in Goa from 6.7% to 9.4% and there is a decrease of rape cases in Daman and Diu, D & N Haveli from 10.9%, 7.2% to 3.1%, 0% during 2016 to 2019. The results also highlighted that all states have rape cases more than the national average except D & N Haveli, Gujarat, Karnataka, Tamil Nadu, Puducherry, Lakshadweep, Manipur, Nagaland, Uttar Pradesh in West, South, North East, and North Region has found in Figure 3. Figure 4 shows the trends of Rape cases in India during 2015-2019. The trend shows the total rape cases Other (sexual assault committed by other than the close blood relative) and Incest (sexual assault committed by the close blood relative). Even though there is no clue for the number of Other Rape cases and Incest Rape cases committed in India. Figure 2 illustrates that rape cases increased during 2016, and slightly decreased from 2017-2019.



Note: The plotted numbers on the graph represent the total number of crimes against women cases reported per 100,000 women.

Figure 1. Total Reported Incidence of Crimes Against Women in India (NCRB)

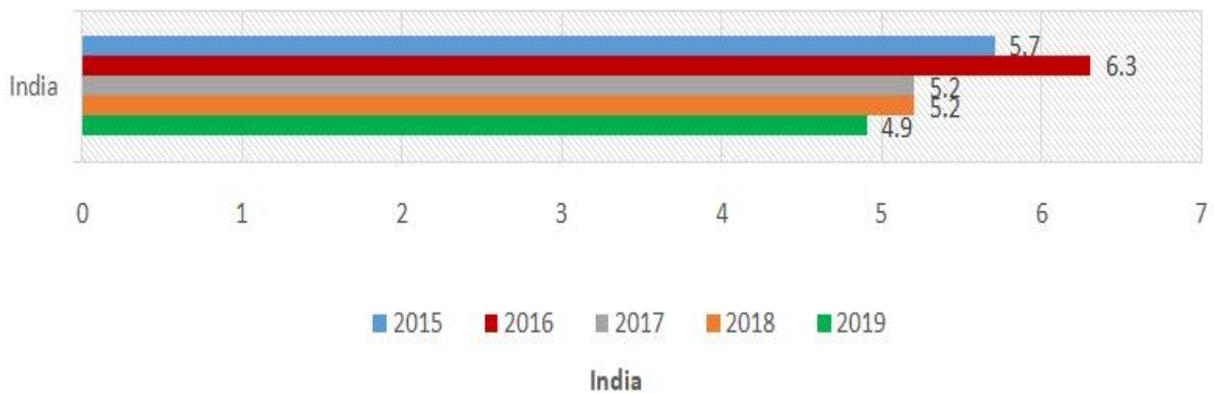


Figure 2. Levels of Rate of Rape Cases in India, 2015-2019

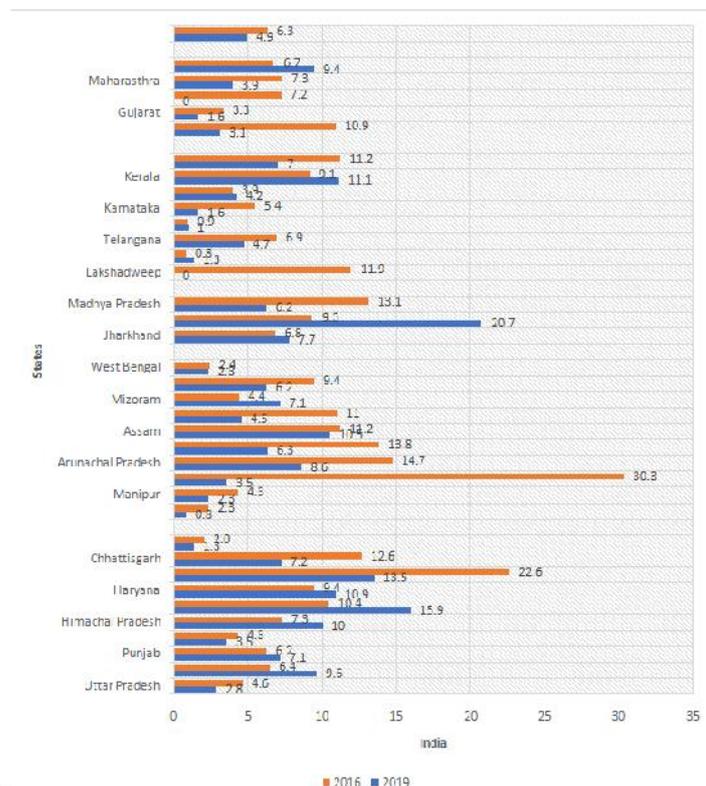


Figure 3. Levels of Rate of Rape Cases by Region in India, 2016-2019

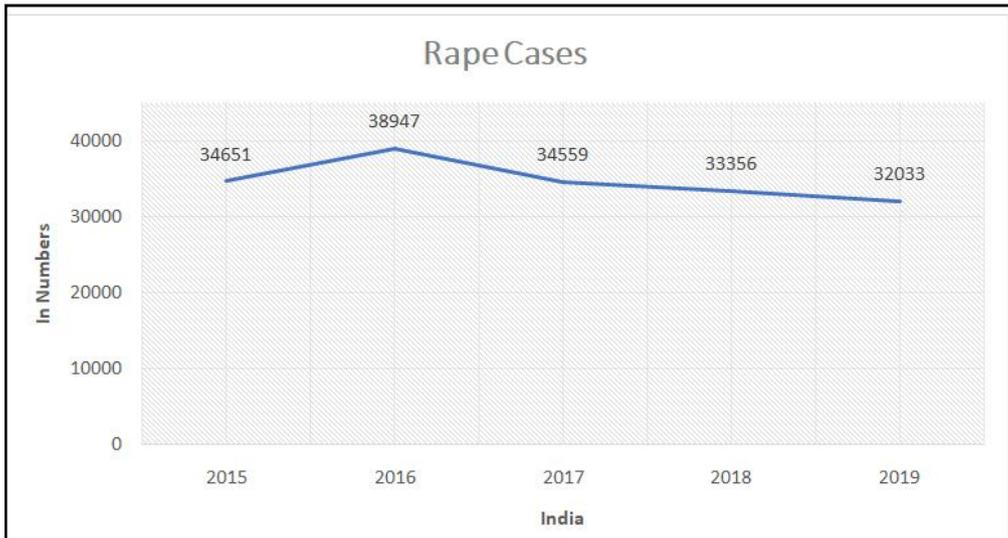


Figure 4. Trends of Rape Cases in India, 2015-2019



Figure 5 (a). Trends of Rape Cases by Age Group (6-18 Years) in India during 2015-2019



Figure 5 (b). Trends of Rape Cases by Age Group (18-60 Years and above) in India during 2015-2019

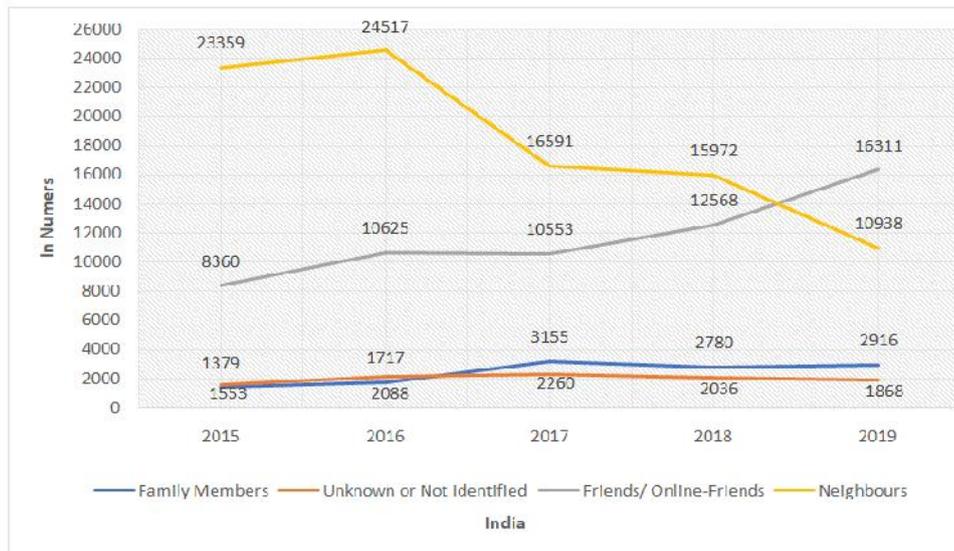


Figure 6. Trends of offender's Relation and Proximity to Rape Victims in India, 2015-2019

Crime against women has been consistently ascending throughout the long term. As indicated by the most recent NCRB report, 2019 saw more than 4 lakh revealed instances of crimes committed against women, up from 3.78 lakh in 2018, and 3.59 lakh cases in 2017. Nearly 32,033 rape cases were reported by NCRB which means a stunning 88 rape cases per day, and this is only 10% of all crimes against women. Experts state that image could be far more awful as most such crimes go unreported in the nation (Times of India, 2020). Figure 5 (a) shows the rape case trends by age group (6-18 Years) in India during 2015-2019. The result shows that rape cases are a lot higher in the age group 16-18 Years during 2015-2018 and slightly decreased during 2019 when contrasted with their counterpart. The same result also has been found in the age gathering 12-16 Years, as compared to the age group Below 6 Years and 6-12 Years.

The result shows that rape cases are much higher in the age gathering 18-30 years when contrasted with their counterpart. In India, the rape cases are consistently increased among the age group 18-30 years. In the age-group, 60 years and above have no incensement in terms of changing the status of rape cases during the study period. The overall result shows that the trends of rape cases are increased in the age group 18-30 years, 30-35 years except for age group 60 years and above during the study period (Figure-5(b)). The trends of rape cases in the age group 16-18 years have significantly higher in the year 2016, but through 2017-2019 the trends of rape cases are consistently diminished. Incidentally, the maximum numbers of rape victims are aged between 18-30 years with the member increasing from 16966 in 2015 to 19653 in 2019. Victims between 30-40 years came second which has shown a sharp increase from 5677 in 2015 to 6716 in 2019. Trends in the offender's relation and proximity to rape victims in India during 2015-2019 are shown in Figure-6. The result shows Friends/Online-Friends have considerably contributed to the increase of rape cases from 8360 in 2015 to 16311 in 2019 as compared to their counterparts during 2015-2019. Furthermore, the Neighbours in India have slightly decreased from 23359 in 2015 to 10938 in 2019. Trends in rape cases done by Family Members or Unknown or Not Identified have no significant change during the study period (Figure-6).

**Limitations:** Since the study covered a short period, it is uncertain to provide a bigger outlook on the changing trends of rape statistics. It could be possible that in the coming years the numbers could either rise or decrease. The source of data for this study was through secondary means, and so the previous year's data could not be obtained in a single specific pattern. The reason we could not explore accurate numbers of incest rape cases.

## DISCUSSION

The study reveals that it decreases the trend of rape incidents from the study period. The study depicts that the incident of rape reporting and the rate of rape also increased between 2015-2016. even after 3 years of the criminal amendment, Act, 2013, which was Indian legislation passed the bill related to sexual offenses (Nirbhaya act-2013). During the study, it has also found that in India, most of the rape victims are belong to the age group of 18-30 years. Rape has a suffering effect on the lives, health, and happiness of victims. The WHO multi-nation study on women's health and domestic violence found that 10-27% of women and girls have reported experiencing sexual abuse in their lifetime (Garcia-Moreno, Hansen, et al. 2005). Men and boys are also victims. Whilst sexual violence can take many structures, the most widespread severe form is contact sexual brutality, and especially rape with anal, oral, or vaginal penetration. National capital Delhi, the recent data states that Delhi has gotten more secure for women as there is a 60% decrease in the number of rape cases. Rape is the ultimate violence for women.

It is a humiliating event in a women's life. This leads to a fear of existence and a sense of powerlessness (Koss et al., 1994). "Government and society need to work in tandem to contain crimes against women and children." The present paper is explained about the levels of rate of rape cases from 2015 to 2019 and by region 2016-2019 in India, trends of rape cases and decreasing incidents of rapes, rape cases by age group 6-18 years (minor) and age group 18-60 years (major), and offender's relation to rape victims during 2015-2019. We base the present study on the data from the National Crime Records Bureau (NCRB) of India from 2015 to 2019. For now, we are

oblivious of the fact of how many cases happen in the country as the NCRB data reveals just the reported number of cases which are compiled from records of police stations all over the country.

For now, we are oblivious of the fact of how many cases happen in the country as the NCRB data reveals just the reported number of cases which are compiled from records of police stations all over the country.

### Suggestions

As the study suggests the falling of rape cases in recent years, it would be likely unfair to comment where these numbers would take a turn in the coming years. In such a situation, here are some recommendations that could benefit in the prevention of this despicable crime. Foremost, we need to stop victim-blaming. India is a country where women are still traditionally discriminated against in some parts of the country, and this is where victim-blaming stands to rise. This not only deteriorates their condition after the traumatic incident but also intrepidly encourages the perpetrator's intentions towards committing rape. Incorporation of a zero-tolerance policy for sexual harassment and violence against women, be it any place. While this should not just be the responsibility of the victim to raise a voice against such acts, but also the surrounding people. Intruding as an active bystander shows that the perpetrator's behavior is inappropriate and hence this will withhold him.

Many of us disagree that rape is a wrongful act through words, actions, and inactions, some people normalize sexual harassment leading to the uphold of the rape culture. It is our moral responsibility to cultivate such beliefs amongst people that shall lead to a brighter tomorrow for the women of our nation. Strengthening women organizations empowers them and helps in amplifying their voices promoting gender inequalities. The major responsibility of preventing crime against women lies in hands of the Criminal Justice System. It is prime time that new laws for punishment against perpetrators need to be regulated offering stringent actions.

### Conclusion

Women in India have a poor history of ill-treatment, embarrassment, pain, sufferings, and exploitation. Sadly, in the earlier decades, not much attention was paid to the victim's condition on social platforms. However, this has changed at present because of media attention and triggering public protests. One in three women worldwide experiences abuse. Violence against women is a universal problem. A study of 10 countries showcased that between 17% to 38% of women have suffered a physical assault by their partners. Many women lose their support networks, husbands, families, livelihoods, and health because of rape. It may sound incredible that only a few percents of survivor's report sex crimes to police. The reality is its very common that maximum rapes and sexual assault go unreported because the victim feels embarrassed and family social status. To deal with a sex crime the professional agencies like police, doctors, lawyers, magistrates, rescue homes, they must actively co-operate with each other while handling the sex offenders. Victims of rape are uniquely vulnerable to being blamed for their assault relative to victims of other interpersonal crimes, and thus much research to conduct to understand why this is the case.

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